

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

PATSY ANN DILLON,)	
)	
Plaintiff,)	
)	
v.)	Case No.:
)	
COLLEEN J. MOORE, M.D., and)	
SAINT FRANCIS MEDICAL CENTER,)	
)	JURY TRIAL DEMANDED
Defendants.)	

COMPLAINT FOR MEDICAL MALPRACTICE

COMES NOW the Plaintiff, Patsy Ann Dillon, by and through her attorney, Mark S. Johnson of Johnson, Schneider & Ferrell, L.L.C., and for her Complaint for Medical Malpractice against the Defendants, Colleen J. Moore, M.D., and Saint Francis Medical Center, states as follows:

JURISDICTION AND VENUE

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. Section 1332 because of diversity of citizenship of the parties and the amount in controversy exceeds the jurisdictional limit of \$75,000.00.

2. Venue is placed in this District and Division pursuant to 28 U.S.C. Section 1391 because it is where the individual Defendant resides and where the corporate Defendant has its principal office and where a substantial part of the events giving rise to Plaintiffs' claim occurred.

PARTIES

3. That the Plaintiff, Patsy Ann Dillon, is an individual citizen of the State of Illinois.

4. That the Defendant, Colleen J. Moore, M.D., is an individual citizen of the State of Missouri and at all times material to this Complaint was a duly licensed, practicing physician engaged in her profession in the City and County of Cape Girardeau, Missouri and held herself out to the public as being skilled, careful and diligent in the practice of her profession of vascular surgery.

5. That the Defendant, Saint Francis Medical Center, is a non-profit corporation and is a citizen of the State of Missouri with its principal place of business in the State of Missouri.

6. That the Defendant, Colleen J. Moore, M.D., was at all times material to this Complaint, an employee or agent of the Defendant, Saint Francis Medical Center, and was acting within the scope of that agency at all times material to this Complaint.

COMMON FACTUAL ALLEGATIONS

7. That on or about September 3, 2015, the Defendant, Moore, examined and treated the Plaintiff for leg pain which resulted in the administration of several sclerosing injections in the Plaintiff's right leg.

8. That one of the sclerosing injections in the Plaintiff's right foot immediately became infected. Defendants Moore and Saint Francis attempted to treat the Plaintiff's infection on her right foot but were unsuccessful and the

Plaintiff was discharged from the care of Defendants Moore and Saint Francis on December 21, 2015.

9. That the Plaintiff sought treatment at Southeast Missouri Hospital on or about December 28, 2015 for the same infection on her right foot but, at that point, the infection on Plaintiff's foot had progressed to the point that it required amputation of her right leg below her knee.

10. That from September 3, 2015 through December 21, 2015, and at all other material times herein, the Defendant, Colleen J. Moore, individually and as agent of the Defendant, Saint Francis Medical Center, and other unknown employees or agents of Saint Francis Medical Center failed to exercise the degree of care, skill and knowledge customarily employed by vascular surgeons or infectious disease physicians/hospitals and were therefore professionally negligent in one or more of the following negligent acts or omissions to act:

- (a) failed to administer the sclerosing injection so as to avoid the infection suffered by the Plaintiff;
- (b) failed to timely recognize and effectively treat the infection suffered by Plaintiff at the sclerosing injection site in her right foot.

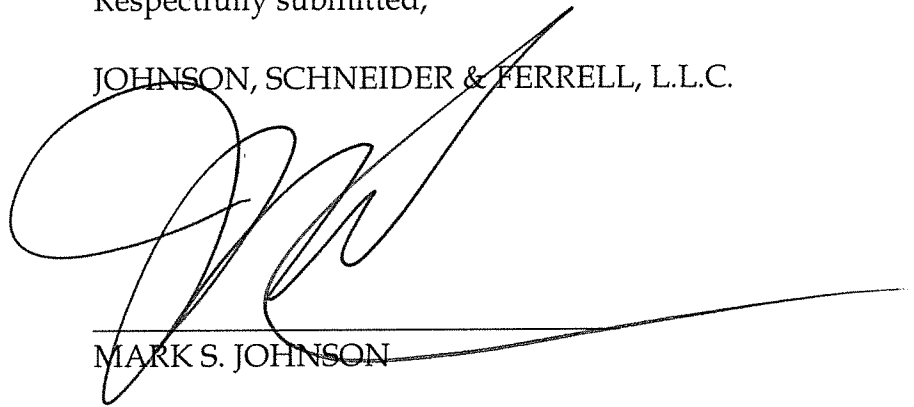
11. That one or more of the foregoing negligent acts or omissions to act, caused or contributed to cause the infection of Plaintiff's right foot that eventually required the amputation of her leg below the knee which required the Plaintiff to incur additional medical expenses for her care and treatment and cause dthe Plaintiff great pain and suffering and loss of normal quality of life.

WHEREFORE, the Plaintiff prays for judgment against the Defendants, Colleen J. Moore and Saint Francis Medical Center, jointly and severally, for a sum in excess of Seventy-Five Thousand Dollars (\$75,000.00) and for such other and further relief as this Court deems just and proper including Plaintiff's cost of suit.

PLAINTIFF DEMANDS A JURY OF SIX (6) TO HEAR THIS MATTER.

Respectfully submitted,

JOHNSON, SCHNEIDER & FERRELL, L.L.C.

A large, stylized handwritten signature in black ink, appearing to be 'M. Johnson', is written over a horizontal line. Below the line, the name 'MARK S. JOHNSON' is printed in a standard, sans-serif font.

MARK S. JOHNSON

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